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Hellerstein, A.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION

21 MC 102 (AKH)

**STIPULATION AND ORDER OF
DISMISSAL AS TO**

Envirotech Clean Air, Inc. only in:

All cases listed in Schedule A

ALVIN K. HELLERSTEIN, U.S.D.J.

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the individual actions listed in Schedule A, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, and based on the representation of the within defendant, and to the extent Plaintiff(s) can so Stipulate that each claim, cross-claim and counterclaim asserted by and against defendant Envirotech Clean Air, Inc. only, shall be and the same hereby are discontinued without prejudice as against defendant, Envirotech Clean Air, Inc. only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicate a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by said defendant in support of its request of discontinuance at this time, be discerned in the future to have been inaccurate, false or

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misleading, plaintiff may re-assert its claim against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against said defendant.

This stipulation may be filed without further notice with the Clerk of the Court and defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: New York, New York
February 25, 2014

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By: 
Christopher R. LoPalo

SO ORDERED: 3-3-14


HON ALVIN K. HELLERSTEIN

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SCHEDULE A

Plaintiff	Docket Number
Virginia Barbosa	06cv1649
German Ernesto Bunay	07cv1572
Rodrigo Campozano	07cv4459
Aida Chalco	07cv1481
Sixta Garcia	07cv5292
Walter Gallegos	07cv4467
Salma Guzman	08cv2273
Edgar Mendez	05cv1180
Slawomir Peski	08cv2688
Bertha Tache	07cv1537
Christian Tapia	08cv2248